

CITY OF MUSKEGON

CITY COMMISSION MEETING

MAY 26, 2015

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, May 26, 2015.

Mayor Gawron opened the meeting with prayer from Pastor Tim Cross from Living Word Church of Muskegon after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Johnson, Hood, German, Rinsema-Sybenga, and Turnquist, and City Clerk, Ann Meisch.

2015- 38 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes of the May 11th Commission Worksession Meeting, and the May 12th City Commission Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

B. Muskegon High School Community Officer Agreement. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and approve the agreement between the City of Muskegon Police Department and the Muskegon Public Schools.

The agreement is for a Community Officer at the High School during the 2015-2016 school year.

FINANCIAL IMPACT: This agreement is a three percent increase from last year's (2014-2015) agreement.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approving the agreement between the City of Muskegon Police Department and the Muskegon Public

Schools for a Community Officer for the school year 2015-2016.

C. Memorandum of Understanding – Justice Assistance Grant. PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the Commission authorize the Director and the City Manager to enter into an agreement with the City of Muskegon Heights and Muskegon County in regards to the disbursement of the FY 2015 Justice Assistance Grant. It is further requested that the Mayor be authorized to sign the Memorandum of Understanding. Note that time is of the essence as this grant requires a 30-day governing body review period before the grant submission, and the grant deadline is June 26.

Although the Bureau of Justice Assistance has designated us as being in a disparate funding situation due to the County providing more than 50% of the jail facilities, our proposal is to keep the allocations exactly as they initially came down from the BJA which is as follows: County of Muskegon \$0; City of Muskegon \$26,168, and City of Muskegon Heights \$17,363. Note the BJA uses crime data versus population in making these allocation decisions.

The City of Muskegon's portion is planned to be used in continuation of the manner in which the previous year's JAG funding was used which is for the prosecution of city ordinance cases dealing primarily with neighborhood issues. A prosecutor was hired specifically for this under a previous fiscal year JAG Grant.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends approval of this request.

Motion by Commissioner Hood, second by Commissioner German to approve the Consent Agenda as read.

ROLL VOTE: Ayes: Hood, Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron

Nays: None

MOTION PASSES

2015-39 NEW BUSINESS:

A. Amendments to the Zoning Ordinance to Implement Form Based Code. PLANNING & ECONOMIC DEVELOPMENT

STAFF RECOMMENDATION: Staff-initiated request to make the following amendments to the zoning ordinance as part of adopting form based codes for downtown:

- a. Amend Article XX and create a Form Based Code overlay district.
- b. Remove Article XII, B-3 Central Business district.

- c. Amend Article III, Section 300 and remove B-3, Central Business district.
- d. Amend Article III and add a new section, 305, to direct people to the Article XX, the new Form Based Code section.
- e. Amend the zoning map and add a new Form Based Code district.
- f. Amend the zoning districts table of heights and yards to remove all references to B-3; remove minimum heights in note #4, remove reference to B-3 in note #6; add a row called Form Based Code and an asterisk that indicates that all dimensional standards shall be per the Form Based Code, Article XX.
- g. Amend Article XXIII to add item 5 to Section 2301 to state that the scope and applicability of the Form Based Code is contained in Sections 2001.02 and 2002.00.
- h. Amend Section 2326 and remove item 12, Downtown Parking Overlay and remove reference to overlay in item 13 and remove Figure 23-2.
- i. Amend Section 2334 and remove reference to B-3 in item 7.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the zoning ordinance amendments.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval at their regular meeting in May.

Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve the Amendment to the Zoning Ordinance to implement Form Based Code

ROLL VOTE: Ayes: Gawron, Spataro, German, Rinsema-Sybenga, Turnquist, and Johnson

Nays: None

Absent: Hood

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner Johnson to reconsider the Amendment to the Zoning Ordinance to implement Form Based Code

ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Johnson, Gawron, Hood, Spataro, and German

Nays: None

MOTION PASSES

Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve the Amendment to the Zoning Ordinance to implement Form Based Code

ROLL VOTE: Ayes: Johnson, Gawron, Hood, Spataro, German, Rinsema-Sybenga, and Turnquist

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: Comments were received by the public.

2015-40 CLOSED SESSION: Attorney-Client Privileged Communications and Property Acquisition.

Motion by Vice Mayor Spataro, second by Commissioner Hood to go into closed session to discuss Attorney-Client Privileged Communications and Property Acquisition.

ROLL VOTE: Ayes: Spataro, German, Rinsema-SYbenga, Turnquist, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Hood to come out of closed session.

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 6:59 p.m.

Respectfully submitted,

Ann Marie Meisch, MMC
City Clerk